

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Richard J. Klein III,
Petitioner,

vs.

Harold Carter, Warden,
Respondent.

Case No. C-1-01-794

JUDGE BECKWITH

M.J. BLACK

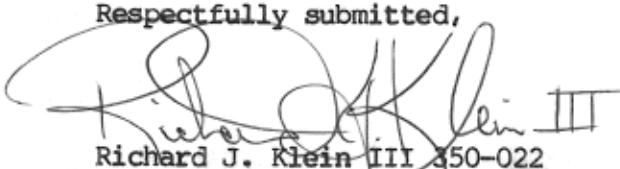
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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
CINCINNATI

FILER
JAMES BROWN
CLERK

PETITIONER'S MOTION TO WITHDRAW TWO (2) CLAIMS

Petitioner hereby respectfully requests that two (2) of the claims that Petitioner presents in his habeas corpus petition be withdrawn based upon the information provided in Respondent's answer/return of writ and other facts acquired elsewhere. Petitioner requests that the Fourteenth and Fifteenth Ground for Relief pages 102 through 110 be considered withdrawn, struck from the record, and not reviewed in these proceedings.

Respectfully submitted,


Richard J. Klein III 350-022

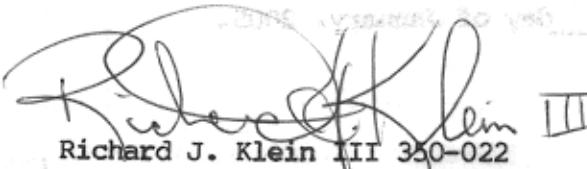
Petitioner/pro se

R.C.I. P.O. Box 7010

Chillicothe, Ohio 45601

CERTIFICATE OF SERVICE

Petitioner hereby certifies that a true copy of the foregoing has been served upon counsel for Respondent Assistant Ohio Attorney General Diane Mallory at 150 East Gay Street Columbus Ohio 43215 by regular U.S. Mail on this 10th day of January, 2005.


Richard J. Klein III 350-022